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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,365	12/31/2003	Sumit Agarwal	GOOGLE-58 (GP-155-00-US)	4904
82402	7590	11/14/2008	EXAMINER	
Straub & Pokotylo 788 Shrewsbury Avenue Tinton Falls, NJ 07724			LEWIS, CHERYL RENE A	
			ART UNIT	PAPER NUMBER
			2167	
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			11/14/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Supplemental  
Notice of Allowability**

Application No.

10/750,365

Examiner

Cheryl Lewis

Applicant(s)

AGARWAL ET AL.

Art Unit

2167

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the applicants' communication received on October 28, 2008.
2. ☒ The allowed claim(s) is/are 1-3, 5-13, 15, 16, 18-20, 28-40, 42, 43, 45-47, 55, and 56, renumbered as claims 1-37.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

/Cheryl Lewis/  
Primary Examiner, Art Unit 2167  
November 12, 2008

**Supplemental**  
**DETAILED ACTION**

1. Claims 1-3, 5-13, 15, 16, 18-20, 28-40, 42, 43, 45-47, 55, and 56 are allowed.

These claims have been renumbered as claims 1-37.

2. Claim 14 has been cancelled in the amendment received on September 14, 2007.

***EXAMINER'S AMENDMENT***

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in an interview with Leonard Linardakis on October 7, 2008.

4. Claims 1, 13, 16, 19, 28, 40, 43, 46, 55, and 56 have been amended and claims 4, 14, 17, 41, and 44 have been cancelled as follows:

1. (Currently Amended) : A method for facilitating the comparison of different ad landing pages associated with an advertiser, the method comprising:

a) for an ad to be served, automatically selecting one of a plurality of candidate ad landing pages associated with the advertiser;

b) automatically assembling the ad to include a link to the selected ad landing page;

c) serving the assembled ad; and

d) tracking a performance of the ad in combination with the automatically selected ad landing page, such that, for the ad, a performance for each of the plurality of candidate landing pages, linked from the ad when serving the ad, is separately tracked,

wherein the performance of the ad in combination with the automatically selected ad landing page tracked is at least one of conversion per impression performance, conversion per selection performance, sales per ad selection, sales per ad impression, earnings per ad selection, and earnings per ad impression.

4. (Cancelled)

13. (Currently Amended) : A method for facilitating the comparison of different {ad landing page, ad creative} combinations associated with an advertiser, the method comprising:

- a) for an ad to be served, automatically selecting one of a plurality of candidate {ad landing page, ad creative} combinations, at least some of the combinations including different ad landing pages associated with the advertiser;
- b) automatically assembling the ad to include the selected ad creative and the selected ad landing page of the selected {ad landing page, ad creative} combination;
- c) serving the assembled ad; and

Art Unit: 2167

d) tracking a performance of the ad in combination with the automatically selected {ad landing page, ad creative} combinations, such that, for the ad, a performance for each of the plurality of {ad landing page, ad creative} combinations, used when serving the ad, is separately tracked,

wherein the performance of the ad in combination with the automatically selected {ad landing page, ad creative} combinations tracked is at least one of conversion performance, sales per ad selection, sales per ad impression, earnings per ad selection, and earnings per ad impression.

14. (Cancelled)

16. (Currently Amended) : A method for comparing facilitating the comparison of different {ad landing page, ad serving criteria} combinations associated with an advertiser, the method comprising:

a) for an ad to be served, automatically selecting one of a plurality of candidate {ad landing page, ad serving criteria} combinations, at least some of the combinations including different ad landing pages associated with the advertiser;

b) automatically assembling the ad to include the selected ad landing page of the selected {ad landing page, ad serving criteria} combination;

c) serving the assembled ad; and

d) tracking a performance of the ad in combination with the automatically selected {ad landing page, ad serving criteria} combination, such that, for the ad, a

Art Unit: 2167

performance for each of the plurality of {ad landing page, ad serving criteria} combinations, used when serving the ad, is separately tracked,

wherein the performance of the ad in combination with the automatically selected {ad landing page, ad serving criteria} combination tracked is at least one of conversion performance, sales per ad selection, sales per ad impression, earnings per ad selection, and earnings per ad impression.

17. (Cancelled)

19. (Currently Amended) : A method for facilitating the comparison of different types of ad landing pages associated with an adviser, the method comprising:

a) for an ad to be served, automatically selecting one of a plurality of candidate ad landing pages associated with the advertiser, wherein each of the plurality of candidate ad landing pages has a different types;

b) automatically assembling the ad to include the selected ad landing page;

c) serving the assembled ad; and

d) tracking a performance of a set of ads in combination with the type of automatically selected ad landing page, such that, for the ad, a performance for each of the plurality of types of landing page, used when serving the ad, is separately tracked,

wherein the performance of the set of ads in combination with the type of automatically selected ad landing page tracked is at least one of conversion per

Art Unit: 2167

impression performance, conversion per selection performance, sales per ad selection, sales per ad impression, earnings per ad selection, and earnings per ad impression.

28. (Currently Amended) : Apparatus for facilitating the comparison of different ad landing pages associated with an advertiser, the apparatus comprising:

at least one processor;

at least one input/output interface unit; and

at least one storage device, the storage device storing program instructions

which, when executed by the at least one processor, perform a method including:

a) automatically selecting one of a plurality of candidate ad landing pages associated with the advertiser for an ad to be served;

b) automatically assembling the ad to include a link to the selected ad landing page;

c) serving the assembled ad; and

d) tracking a performance of the ad in combination with the automatically selected ad landing page, such that, for the ad, a performance for each of the plurality of candidate landing pages, linked from the ad when serving the ad, is separately tracked,

wherein the performance of the ad in combination with the automatically selected ad landing page tracked is at least one of conversion per impression performance, conversion per selection performance, sales per ad selection, sales per ad impression, earnings per ad selection, and earnings per ad impression.

40. (Currently Amended) : Apparatus for facilitating the comparison of different {ad landing page, ad creative} combinations associated with an advertiser, the apparatus comprising:

at least one processor;

at least one input/output interface unit; and

at least one storage device, the storage device storing program instructions which, when executed by the at least one processor, perform a method including:

a) automatically selecting one of a plurality of candidate {ad landing page, ad creative} combinations for an ad to be served, at least some of the combinations including different ad landing pages associated with the advertiser;

b) automatically assembling the ad to include the selected ad creative and the selected ad landing page of the selected {ad landing page, ad creative} combination;

c) serving the assembled ad; and

d) tracking a performance of the ad in combination with the automatically selected {ad landing page, ad creative} combinations, such that, for the ad, a performance for each of the plurality of {ad landing page, ad creative} combinations, used when serving the ad, is separately tracked,

wherein the performance of the ad in combination with the automatically selected {ad landing page, ad creative} combinations tracked is at least one of conversion performance, sales per ad selection, sales per ad impression, and earnings per ad impression.



Claim 41. (Cancelled)

Claim 43. (Currently Amended) : Apparatus for facilitating the comparison of different {ad landing page, ad serving criteria} combinations associated with an advertiser, the apparatus comprising:

at least one processor;

at least one input/output interface unit; and

at least one storage device, the storage device storing program instructions which, when executed by the at least one processor, perform a method including:

a) automatically selecting one of a plurality of candidate {ad landing page, ad serving criteria} combinations for an ad to be served, at least some of the combinations including different ad landing pages associated with the advertiser;

b) automatically assembling the ad to include the selected ad landing page of the selected {ad landing page, ad serving criteria} combination;

c) serving the assembled ad; and

d) tracking a performance of the ad in combination with the automatically selected {ad landing page, ad serving criteria} combination, such that, for the ad, a performance for each of the plurality of {ad landing page, ad serving criteria} combinations, used when serving the ad, is separately tracked,

wherein the performance of the ad in combination with the automatically selected {ad landing page, ad serving criteria} combinations tracked is at least one of

Art Unit: 2167

conversion performance, sales per ad selection, sales per ad impression, earnings per ad selection, and earnings per ad impression.

44. (Cancelled)

46. (Currently Amended) : Apparatus for facilitating the comparison of different types of ad landing pages associated with an advertiser, the apparatus comprising:

at least one processor;

at least one input/output interface unit; and

at least one storage device, the storage device storing program instructions which, when executed by the at least one processor, perform a method including:

a) automatically selecting one of a plurality of candidate ad landing pages associated with the advertiser, wherein each of the plurality of candidate ad landing pages has a different type, for an ad to be served;

b) automatically assembling the ad to include the selected ad landing page;

c) serving the assembled ad; and

d) tracking a performance of a set of ads in combination with the type of the automatically selected ad landing page, such that, for the ad, a performance for each of the plurality of types of landing pages, used when serving the ad, is separately tracked,

wherein the performance of the set of ads in combination with the type of the automatically selected ad landing page tracked is at least one of conversion

Art Unit: 2167

performance, sales per ad selection, sales per ad impression, earnings per ad selection, and earnings per ad impression.

55. (Currently Amended) : A method for facilitating the comparison of at least two different ad landing pages associated with an advertiser, the method comprising:

- a) for an ad to be served at a first time
  - i) automatically selecting a first ad landing page from a plurality of candidate ad landing pages associate with the advertiser, and
  - ii) serving an instance of the ad with a link to the first ad landing page;
- b) for the ad to be served a second time
  - i) automatically selecting a second ad landing page, different from the previously selected first ad landing page, from the plurality of candidate ad landing pages associated with the advertiser, and
  - ii) serving an instance of the ad with a link to the second ad landing page;
- c) tracking the performance of instances of the ad having a link to the first ad landing page; and
- c) tracking the performance of instances of the ad having a link to the second ad landing page.

wherein the performance of the ad in combination with the automatically selected first and second ad landing pages tracked is at lest one of conversion per

Art Unit: 2167

impression performance, conversion per selection performance, sales per ad selection, sales per ad impression, earnings per ad selection, and earnings per ad impression.

56. (Currently Amended) : Apparatus for facilitating the comparison of at least two different ad landing pages associated with an advertiser, the apparatus comprising:

at least one processor;

at least one input/output interface unit; and

at least one storage device, the storage device storing program instructions which, when executed by the at least one processor, perform a method including:

a) automatically selecting

i) for an ad to be served at a first time, a first ad landing page from a plurality of candidate ad landing pages associated with the advertiser, and

ii) for the ad to be served a second time, a second ad landing page, different from the previously selected first ad landing page, from the plurality of candidate ad landing pages associated with the advertiser;

b) serving

i) an instance of the ad with a link to the first ad landing page, and

ii) an instance of the ad with a link to the second ad landing page; and

c) separately tracking the performance of

i) instances of the ad having a link to the first ad landing page, and

ii) instances of the ad having a link to the second ad landing page.

wherein the performance of the ad in combination with the automatically selected first and second ad landing pages tracked is at least one of conversion per impression performance, conversion per selection performance, sales per ad selection, sales per ad impression, earnings per ad selection, and earnings per ad impression.

5. The Specification has been amended as follows:

On page 4, at line 3, Patent No. 7,136,875, has been inserted after “10/375,900”

### **REASONS FOR ALLOWANCE**

6. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record does not render obvious to one ordinarily skilled in the art at the time of applicant's invention nor anticipate the combination of claimed elements including “a) for an ad to be served, automatically selecting one of a plurality of candidate ad landing pages associated with the advertiser; b) automatically assembling the ad to include a link to the selected ad landing page” and “wherein the performance of the ad in combination with the automatically selected ad landing page tracked is at least one of conversion per impression performance, conversion per selection performance, sales per ad selection, sales per ad impression, earnings per ad selection, and earnings per ad impression” as recited in independent claim 1 and similarly recited in independent claims 13, 16, 19, 28, 40, 43, 46, 55, and 56.

The remaining claims are dependent claims, thus these claims are patently distinct over the art of record for at least the above reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Name Of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571)272-4113. The examiner can normally be reached on 6:30-3:00.

(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2167

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Cheryl Lewis/  
Primary Examiner, Art Unit 2167  
November 12, 2008